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AD HOC GROUP ON THE BERLIN MANDATE
First session
Geneva, 21 - 25 August 1995
Item 1 (a) of the provisional agenda

PROVISIONAL AGENDA AND ANNOTATIONS, INCLUDING SUGGESTIONS FOR THE ORGANIZATION OF WORK

Note by the Executive Secretary

I. INTRODUCTION

1. The Conference of the Parties at its first session (COP 1), by its decision 1/CP.1 ("the Berlin Mandate"), agreed on a process to enable it to take appropriate action for the period beyond 2000, including the strengthening of the commitments of the Parties included in Annex I to the Convention contained in Article 4.2(a) and (b), through the adoption of a protocol or another legal instrument (FCCC/CP/1995/7/Add.1, decision 1/CP.1, preamble). The process will not introduce any new commitments for Parties not included in Annex I, but will reaffirm existing commitments in Article 4.1 and continue to advance the implementation of these commitments in order to achieve sustainable development, taking into account Article 4.3, 4.5 and 4.7 (decision 1/CP.1, para. 2(b)). The decision established an open-ended, ad hoc group of Parties (referred to hereinafter as "the Ad Hoc Group on the Berlin Mandate" or "the AGBM") to carry out the process. The COP also decided that "the process should begin without delay and be conducted as a matter of urgency", with work to be completed as early as possible in 1997 so that the results can be adopted at COP 3 (decision 1/CP.1, para. 6). After consultation with the Chairman of the AGBM and the Bureau of the COP, arrangements have been made for the first session of the Ad Hoc Group to be held at the Palais des Nations, Geneva, from 21 to 25 August 1995. The session will be opened by the Chairman of the AGBM at 3 p.m. on 21 August 1995, in conference room XIX.

II. PROVISIONAL AGENDA

2. The provisional agenda for the first session of the AGBM, proposed after consultation with the Chairman, is as follows:

1. Organizational matters:

   (a) Adoption of the agenda;
   (b) Organization of work of the session.

2. Election of officers other than the Chairman.

3. Programme of work until COP 3:

   (a) Structure;
   (b) Scheduling;
   (c) Analysis and assessment;
   (d) Requests for inputs to subsequent sessions of the AGBM.

4. Report on the session.

III. ANNOTATIONS TO THE PROVISIONAL AGENDA

1. Organizational matters

(a) Adoption of the agenda

3. The provisional agenda for the first session of the AGBM is presented for adoption. It focuses on arrangements for the organization of the work of the Ad Hoc Group to enable it to fulfil its mandate.

(b) Organization of work of the session

(i) Documentation

4. The present document will serve as the main guide to the organizational issues before the session. The report of COP 1 (FCCC/CP/1995/7 and Add.1) will also be relevant.

5. According to decision 1/CP.1, paragraph 5, substantive documentation for consideration in the process will include the protocol proposal of the Alliance of Small Island States (AOSIS) (A/AC.237/L.23) along with other proposals and pertinent documents. It will be recalled that elements for a comprehensive protocol were submitted by Germany as comments on the AOSIS proposal (A/AC.237/L.23/Add.1).

6. The Bureau of the COP considered that the contribution of views by Parties, in writing, would help to advance work on the implementation of the Berlin Mandate. The Executive Secretary, in his communication of 23 June 1995 to Permanent Missions, invited such inputs to be submitted by 8 September 1995, at the latest, for consideration at the second session of the AGBM. However, any submissions received from Parties by 4 August 1995 will be compiled in their original language and made available for information at the first session of the AGBM.

7. The following documents will also be available at the session for reference:

FCCC/CP/1995/Misc.1 and Add.1	Review of adequacy of Article 4, paragraph 2(a) and (b): comments from Parties and other member States
A/AC.237/Misc.43 and Add.1	Review of adequacy of Article 4, paragraph 2(a) and (b): comments from Parties and other member States

(ii) Schedule

8. The scheduling of meetings for the session will be based on the availability of facilities during normal working hours, when services are available for one meeting with interpretation from 10 a.m. to 1 p.m. and from 3 p.m. to 6 p.m. There will also be some facilities for informal meetings without interpretation. Delegations are urged to use these facilities fully by starting all meetings promptly at the scheduled time.

2. Election of officers other than the Chairman

9. It will be necessary for the AGBM to elect its remaining officers. The COP, after designating Mr. Raúl Estrada-Oyuela of Argentina as Chairman of the Ad Hoc Group, authorized him to undertake consultations with the regional groups in respect of nominations for the Bureau of the AGBM (see FCCC/CP/1995/7, para. 18). The Chairman will report on the results of these consultations, including information pertaining to the views of groups on the size of the Bureau.

3. Programme of work until COP 3

(a) Structure

10. **The AGBM may wish to consider whether it would be appropriate, at this early stage in the Berlin Mandate process, to establish formally one or more subgroups, define their tasks and make arrangements for their functioning.**

11. Alternatively, the AGBM may wish to adopt, at least initially, a more flexible approach similar to that used at COP 1 and the fifth session (second part) of the Intergovernmental Negotiating Committee for a Framework Convention on Climate Change, whereby members of the Bureau or other representatives were requested to conduct consultations on particular topics. The results of such consultations would be reported back to the AGBM. If, at a future session of the Ad Hoc Group, the establishment of subgroups was deemed necessary, such action could be taken at that time.

(b) Scheduling

12. It will be recalled that the Convention budget was adopted by COP 1 on the understanding that Convention institutions - namely, the COP, the subsidiary bodies established by the Convention and the two ad hoc groups established by COP 1 - would together meet for three two-week periods in 1996 and two two-week periods in 1997. As regards 1995, the General Assembly, by resolution 49/120, included in the calendar of conferences for 1994-1995 the sessions of the subsidiary bodies that the COP may need to convene in 1995. The schedule is based on the assumption that the three main subsidiary bodies - the Subsidiary Body for Scientific and Technological Advice (SBSTA), the Subsidiary Body for Implementation (SBI) and the AGBM - would not meet concurrently. The allocation of meeting time to the AGBM must take account of these overall constraints.

13. The AGBM will meet in Geneva, until the secretariat is relocated to Bonn. Sessions immediately preceding a COP will be convened at the meeting place of the COP. Sessions of the AGBM will normally last one week.

14. Taking account of information from the United Nations Office of Conference Services on the availability of services in, or from, Geneva and the schedule established by the Bureau of the COP for sessions of Convention bodies up to COP 3, the following schedule is proposed for the AGBM:

- second session: 30 October to 3 November 1995

- third session: 4 to 8 March 1996
- fourth session: 15 to 19 July 1996 (if COP 2 is in October 1996)
- fifth session: immediately preceding COP 2, October 1996 (to be decided)

- sixth session: 10 to 14 March 1997

15. The AGBM may wish to confirm the schedule of sessions in the period up to COP 3. In this context, COP 2 will offer an opportunity to provide guidance to the AGBM when the status report of the Ad Hoc Group is considered (FCCC/CP/7/Add.1, decision 1/CP.1, para. 6).

16. Funding for the participation of delegates from eligible Parties will be provided to the extent that funds are available in the special voluntary fund for participation.

(c) Analysis and assessment

17. The Berlin Mandate provides that "the process will include in its early stages an analysis and assessment, to identify possible policies and measures for Annex I Parties" (decision 1/CP.1, para. 4). Further, this process of analysis and assessment is to be taken into account in carrying out paragraph 2(a) of the Mandate.

18. It is necessary for Parties to define the nature, content and duration of the analysis and assessment and its relation to other aspects of the process. In addition, delegations may wish to reflect on issues such as:

(a) What aspects of policies and measures would be analysed and assessed, what would be the products or outputs (for example, reports, documents) and when these would be required;

(b) What other aspects of the Berlin Mandate process would be analysed and assessed (for example, quantified emission limitation and reduction objectives within specified time-frames);

(c) How "relevant technical, social and economic information" would be identified and, if necessary, developed (decision 1/CP.1, para. 3); how "environmental and economic impacts and the results that could be achieved with regard to time horizons such as 2005, 2010, and 2020" would be identified (decision 1/CP.1, para. 4);

(d) What aspects of the analysis and assessment could be carried out at the international level, and which intergovernmental organizations might be involved; and

(e) What aspects of the analysis and assessment could be carried out at the national level.

(d) Requests for inputs to subsequent sessions of the AGBM

19. The AGBM will be able to take account of the work of the SBSTA and the SBI and direct specific requests for inputs to these bodies. Such requests could also involve the intergovernmental technical advisory panels to be established by the SBSTA. The subsidiary bodies would be able to act immediately on any requests to them arising from the first session of the AGBM.

20. The AGBM may wish to consider what documentary inputs it would like from the secretariat for its second and future sessions. A miscellaneous document, containing inputs from delegations in the original language, will be available for the second session, with early

inputs available at the first session. If requested to do so, the secretariat could provide a synthesis of these inputs for the second session. The secretariat could also provide, if requested, a follow-up to the annotated compilation of information relevant to the review of adequacy of commitments in Article 4.2(a) and (b) (A/AC.237/83). The focus of such a document might be on information specifically relevant to the Berlin Mandate process, for example, technical and economic information, as opposed to scientific information relevant to the determination of adequacy. The second compilation and synthesis of communications from Annex I Parties will be available in time for COP 2 and therefore for the corresponding session of the AGBM. The secretariat could also be requested to develop more specialized documents based on the national communications, if so desired.

21. In accordance with decision 1/CP.1, paragraph 3, the AGBM may wish to request inputs from other intergovernmental bodies, such as the Intergovernmental Panel on Climate Change, the Organisation for Economic Co-operation and Development, the International Energy Agency, the Economic Commission for Europe, the Montreal Protocol on Substances that Deplete the Ozone Layer or the International Organization for Standardization.

22. The limited time available will have a bearing on the types of requests that can be made; sufficient time will be necessary to develop any inputs requested. In view of the schedule of meetings proposed in paragraph 14 above, the AGBM may wish to consider whether the third and fourth sessions might not be particularly suitable for the delivery of work requiring some preparation time.

23. The AGBM may also wish to give some consideration to the items to be discussed at the second session in order to facilitate preparations for that meeting.

4. Report on the session

24. The relatively short length of the session may affect the extent to which a draft text of the report on the work of the session could be available at the end of the session. The AGBM may wish to adopt decisions or texts of substantive conclusions under the relevant items and sub-items of the agenda and authorize the Rapporteur to complete the report after the session, under the guidance of the Chairman and with the assistance of the secretariat.